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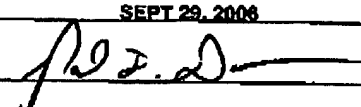
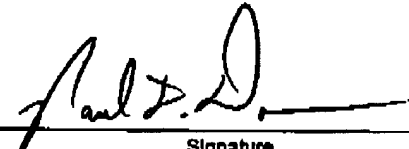
SEP 29 2006

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PTO/SB/33 (07/05)

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<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>		Docket Number (Optional)  14025	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR		Application Number  10/696,961	Filed  10/30/2003
on <u>SEPT 29, 2006</u>		First Named Inventor  HIEYOUNG W. OH	
Signature <u></u>		Art Unit  3753	Examiner  ALLEN J. FLANIGAN
Typed or printed name <u>PAUL F. DONOVAN</u>			
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)		PAUL F. DONOVAN	
<input checked="" type="checkbox"/> attorney or agent of record.		Typed or printed name	
Registration number <u>39,982</u>		847-657-4075	
		Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		SEPT 29, 2006	
		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> *Total of 1 forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 29 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3753

Attorney Docket No. 14025

In re

Patent Application of

Hieyounh W. Oh

Serial No.: 10/696,961

Filed: October 30, 2003

Examiner: Flanigan, Allen J

I, Paul F. Donovan, hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at (571) 273-6300, on the date of my signature.

*Paul F. Donovan*  
\_\_\_\_\_  
Signature

*Sept. 29. 2006*  
\_\_\_\_\_  
Date of Signature

**"CONDUCTIVE HEAT-EQUALIZING DEVICE"****PRE-APPEAL BRIEF**

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Final Office Action mailed July 27, 2006 and the Advisory Action mailed September 15, 2006. It is respectfully requested that the above-identified application be allowed as set forth below. No extension of time in which to file a response is believed necessary. However, if an extension of time is required, please consider this a petition therefore and charge any additional fees which may be required as set forth below. Please debit any deficiency to Deposit Account No. 09-0025 as may be required in connection with the submission of this communication. IN NO EVENT CAN THE ISSUE FEE BE CHARGED TO THE DEPOSIT ACCOUNT.

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Respectfully Submitted,  
*Paul F. Donovan*  
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Paul F. Donovan  
Reg. No. 39,962

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Claims 1-20 are pending. Claims 3 and 14-20 stand allowed, and claim 9 stands objected to. Claims 5, 6, 11 and 12 have been withdrawn. Claims 1, 2, 4, 7, 8, 10 and 13 stand rejected.

Claims 5, 6, 11 and 12 have been withdrawn as being directed to a nonelected species. Upon allowance of a generic claim, these dependent claims shall be given consideration. Since generic claim 1 is allowable as argued below, these claims are also allowable for at least the same reasons applied thereto, as well as for the additional subject matter recited in each.

Claims 1, 2 and 13 stand rejected under 35 U.S.C. 102(b) as being anticipated by Grapes et al. (U.S. Patent No. 4,867,235). Claims 1 and 7 stand rejected under 35 U.S.C. 102(e) as being anticipated by Houle et al. (U.S. Patent No. 6,837,306). Claim 4 stands rejected under 35 U.S.C. 102(b) as being anticipated by Hyman et al. (U.S. Patent No. 5,467,814). Claims 7 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Houle et al. in view of Grapes et al. Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Houle et al. in view of Hyman et al. These rejections are traversed for at least the following reasons.

Claim 1 recites, among other things, that the contact surface is adapted for transferring heat along the fibers from the hotter areas to the colder areas as an associated device moves past the contact surface.

In the Advisory Action dated September 15, 2006, the Examiner opines that Houle et al. or Grapes et al. would obviously be capable of transferring heat from moving surfaces as well as from stationary surfaces. Both Houle et al. and Grapes et al. describe structures to remove heat from stationary surfaces. The Examiner fails to explain how exactly the devices of Houle et al. and Grapes et al. would in fact remove heat from moving structures.

Houle et al. provides a heat dissipation device for a semiconductor package. With reference to col. 3, lines 26-66, the package includes a substrate (301) having a semiconductor device (303) mounted to a top surface of the substrate via a plurality of solder bump connections (302). The heat spreader (305) is thermally coupled to the structure (303) through a compliant heat transfer medium (304) such as thermal grease or gel or the like. The heat spreader is further

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attached to the substrate using a sealant material (307) that surrounds the device (303) to fill the gap between the substrate and the heat spreader to form a completely enclosed cavity containing the device (303). A heat sink (306) is attached to the heat spreader using a thermal interface material (308). Given this structure, it is respectfully argued that Houle et al. do not provide a device that is capable of removing heat from a moving structure.

Likewise, Grapes et al. describe a structure where heat enters the thermal plane wherever the electronic components are mounted upon the printed circuit board (see col. 6, lines 32-34). With reference to col. 5, lines 16-27, a Standard Electronic Module (10) comprises a pair of mating covers (12), (14) which are demountable about the composite thermal plane (16) which is bonded between printed circuit boards (18) and (20). A plurality of electronic component packages (22) are mounted upon the respective printed circuit boards and these component packages may be interconnected by conductor patterns on the boards (not shown) and by wire bonds (24) extending between the packages (22) and the conductor patterns. Given this structure, it is respectfully argued that Grapes et al. do not provide a device that is capable of removing heat from a moving structure.

In sum, the functional limitation for transferring heat along the fibers from the hotter areas to the colder areas as an associated device moves past the contact surface is not inherent in the cited references. The Examiner has not provided any explanation which would suggest that either Grapes et al. or Houle et al. would in fact function as intended if a device is moved past the heat dissipating means.

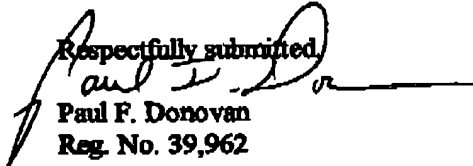
Thus, for at least the foregoing reasons, claim 1 is not anticipated by Grapes et al. or Houle et al.

Claims 2 and 4-13 depend from claim 1, and, therefore, are allowable for the same reasons applied thereto, as well as for the additional subject matter recited in each.

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No new matter has been added by way of the amendments and remarks made herein. Reconsideration and allowance of all the pending claims are respectfully requested. In the event that there are any issues that can be expeditiously handled by telephone conference, the Examiner is invited to telephone the undersigned at the number indicated below.

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Respectfully submitted,  
  
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